

**STRICKEN PURSUANT TO THE
#5970 ORDER ENTERED ON
6/6/2018.**

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON INC.
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE
ATTACHED EXHIBIT:

INACTIVE DOCKET ORDER

The Court has been advised by counsel that in the cases listed on the attached Exhibit A, the plaintiffs and Ethicon, Inc. (“Ethicon”) have agreed to a settlement model with regard to Ethicon. The Court, therefore, finds it unnecessary to conduct further proceedings or to keep these cases on the active docket. Accordingly, the Court **ORDERS** as follows:

1. All discovery deadlines are continued until further order of the Court.
2. That the Clerk retire each of the cases listed on the attached Exhibit A from the active docket.
3. Plaintiffs and Ethicon may submit an agreed order of dismissal with prejudice on or before August 31, 2018; if settlements are not finalized and dismissal orders are not submitted by August 31, 2018, then the Court will have a hearing to determine the appropriate action pertaining to any remaining cases on the inactive docket.

Counsel for plaintiffs and defendants are directed to provide quarterly reports as to their progress in dismissing cases on the inactive docket. The Court is aware that counsel have agreed to a settlement model for a group of cases and claims, including those on Exhibit A. The Court

**STRICKEN PURSUANT TO THE
#5970 ORDER ENTERED ON
6/6/2018**

will reinstate any case on the attached Exhibit A to the active docket if one of the parties, on motion, shows good cause for such reinstatement. Good cause includes, but is not limited to, a plaintiff's refusal or inability to consummate settlement. Such motion must be accompanied by an affidavit from plaintiff explaining such refusal or inability.

The Court **DIRECTS** the Clerk to file a copy of this order in MDL No. 2327 and in the individual cases listed on the attached Exhibit A. The Clerk is further **DIRECTED** to link this Order to the proposed Inactive Docket order filed at ECF NO. _____ and send a copy of this Order to counsel of record and any unrepresented party.

Respectfully submitted:

/s/ William M. Gage

William M. Gage (MS Bar #8691)
Butler Snow, LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
(601) 958-4561
william.gage@butlersnow.com

/s/ Susan M. Robinson

Susan M. Robinson (W.Va. Bar #5169)
Thomas Combs & Spann PLLC
300 Summers Street
Suite 1380 (25301)
P.O. Box 3824
Charleston, WV 24338
(304) 414-1800
srobinson@tcspllc.com

APPROVED:

Dated: _____

Honorable Joseph R. Goodwin

**STRICKEN PURSUANT TO THE
#5970 ORDER ENTERED ON
6/6/2018**

EXHIBIT A – ONDER LAW, LLC

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-cv-21053	McGinnis, Tina et al v. Ethicon, Inc., et al
2:14-cv-24432	Erter, Jeannette, et al v. Ethicon, Inc., et al
2:14-cv-26479	Spicer, Denise v. Ethicon, Inc., et al